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INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE
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C O N F I D E N T I A L SECTION 01 OF 02 MANAMA 000770

SIPDIS

FOR NEA/RA AND G/TIP

E.O. 12958: DECL: 11/16/2018
TAGS: [KTIP](#) [KCRM](#) [KWMN](#) [PHUM](#) [PGOV](#) [SMIG](#) [BA](#)
SUBJECT: TIP INTERIM ASSESSMENT

REF: A. HENZEL-NEA/ARP E-MAIL (9/2/2008)
[B](#). STATE 109257
[C](#). MANAMA 539 AND PREVIOUS

Classified By: DCM Christopher Henzel for reasons 1.4 (b) and (d).

[1](#)1. (SBU) Summary: This message serves as post's input to the Trafficking In Persons (TIP) interim assessment. Paragraphs are keyed to ref B para 6A questions. End Summary.

[1](#)2. (C) Question (a): The GOB established a new anti-human trafficking unit (HTU) under the economic crimes unit at the Criminal Investigative Directorate. The HTU, comprised of two men and eight women, seems to be focused on female victims of trafficking for the purpose of sexual exploitation. The female members of the unit are generally young, inexperienced, and socially conservative, but have asked the local office of the U.S. Naval Criminal Investigative Service (NCIS) for training and investigative assistance. HTU invited an NCIS agent to sit in on an interview with suspected victims. HTU reports that it has referred several cases of possible human trafficking to the Public Prosecution, which determined that only one of these cases met the legal standard set by the anti-trafficking law enacted in January 2008. The HTU has custody of a Thai woman, Arfa Ching, who the GOB charged with trafficking three other Thai women. The court will conduct a final hearing in the case against Ching on December 23. The victims provided testimony against the suspect to the HTU and Public Prosecution, and then were repatriated at their request. (Note: In the past, possible trafficking victims, particularly those engaged in prostitution, have been arrested and quickly deported. End note.)

[1](#)3. (SBU) Question (b): The law required the GOB establish two committees, one for policy development, headed by the Ministry of Foreign Affairs, and one for victim support, headed by the Ministry of Social Development. The Minister of Social Development established the victim support committee in August. It has not yet developed a formal victim identification procedure. According to the Public Prosecution office, investigators attempt to ascertain if migrant workers were forced or coerced into conducting any activity, legal or illegal, or had their freedom of movement restricted in any way.

[1](#)4. (C) Question (c): The three Thai victims mentioned above provided written testimony against the defendant, and were repatriated at their request. Senior Public Prosecutor Nawaf Al Mouada told poloff that if a person entered the country to knowingly participate in illegal activity such as prostitution, they do not meet the standards as set by the anti-trafficking law to qualify as a victim, and the prosecutors therefore proceed under prostitution laws. (NOTE: This highlights the need for more training for the public prosecution and the judiciary. The Justice Minister expressed interest on August 26 in specialized training for

those two organizations (ref A). End Note.)

15. (SBU) Question (d): The GOB instituted a new migrant labor visa regime and spent considerable time and money trying to explain the new system to the public. The system allows for workers to change employers, shifts the responsibility for "runaway" workers to employers, and criminalizes the use of so-called "free visas" whereby a worker's visa is held by a sponsor who "allows" the worker to find their own work and accommodations for a fee, and forces employers to register their workers. These changes do not affect domestic workers.

Despite numerous statements from the Minister of Labor and from the CEO of the Labor Market Regulatory Authority (LMRA) that the practice of holding passports is illegal, it remains common. The Migrant Workers Protection Society, an NGO, reported that administrative clerks at the courts claimed the practice was legal. Sexual exploitation of any kind is illegal.

16. (SBU) Question (d), continued: The anti-trafficking unit produced a flier describing the new anti-trafficking law and soliciting complaints to its hotline. The GOB distributes the flier at the airport. The LMRA continued to expand the material available on its website, www.lmra.bh, in numerous languages to enable migrant workers to know their rights under the new system. The LMRA worked with the International Organization for Migration to develop an information brochure for all incoming workers. IOM reports that the brochure is in its final draft form.

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